

Warren County Board of Supervisors

RESOLUTION NO. 440 OF 2011

Resolution introduced by Supervisors Belden, Bentley, Merlino, Champagne, Monroe, McCoy, Conover, Wood and Taylor

AUTHORIZING AMENDMENT TO INTERMUNICIPAL AGREEMENT WITH THE TOWN OF BOLTON FOR THE PURPOSE OF COMPLETING THE IMPROVEMENTS TO THE WARREN COUNTY SEWER PROJECT - LAKE GEORGE - SOUTHERN BASIN WASTEWATER FACILITIES

WHEREAS, by Resolution No. 457 of 2000, and amended by Resolution Nos. 339 of 2006, 615 and 747 of 2010, the Warren County Board of Supervisors authorized, among other things, an Intermunicipal Agreement with the Town of Bolton for the purpose of constructing improvements to existing wastewater treatment facilities (including the wastewater treatment plant, main pump station, and collection system), as part of the Warren County Sewer Project - Lake George - Southern Basin Wastewater Facilities, and

WHEREAS, it has been proposed to construct additional improvements at the Wastewater Treatment Plant in the Town of Bolton in completion of the project, consisting of the following:

Work will include, but not be limited to, all material, labor and equipment necessary to rehabilitate, by inversion liner technology, approximately 4,350 linear feet of gravity sewer, as well as the repair of sewer manholes. Two alternates will be included for consideration as additional work areas of the same type, utilizing the same methods for repair,

and

WHEREAS, a review through the State Environmental Quality Review Act (SEQRA) was heretofore had, now, therefore, be it

RESOLVED, that Warren County enter into an amendment of the Intermunicipal Agreement previously entered into with the Town of Bolton to provide for, in completion of the sewer project, the

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additional improvements identified in the preambles of this Resolution, including engineering services, and subject to the following:

- (1) The agreement shall provide a cap on spending by the County for the completion of the improvements in the amount not to exceed grant funding and the appropriate local share for the Town of Bolton;
- (2) The agreement shall also contain a provision providing that the Town of Bolton shall pay for any ineligible costs or costs above the grant funding and appropriate local share;
- (3) The County will pay for insurance of the final improvements during the time after the contractor(s) are no longer required to have insurance coverage and the date the project is formally transferred to the Town of Bolton;
- (4) The agreement shall provide that change orders that result in a total cost of the project exceeding grant funding and appropriate local share must be approved by the Town of Bolton, as well as the County; and
- (5) Upon completion of construction and certification by the Project Engineer that construction has been completed in accordance with approved plans and such certification has been filed with the New York State Department of Environmental Conservation and the United States Environmental Protection Agency, the Town of Bolton and/or its respective District shall assume ownership and responsibility for the operation and maintenance of the improvements to the Wastewater Treatment Plant, all in compliance with the requirements, if any, previously completed SEQRA reviews, and any and all requirements of laws, rules, regulations and permits of the United States, New York State, and/or agencies thereof, including, but not limited to, the requirements imposed by reason of the receipt of grants and/or funding from the state and/or federal governments, and be it further

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RESOLVED, that the Chairman of the Warren County Board of Supervisors be, and hereby is, authorized and directed to execute an amendment to the Intermunicipal Agreement with the Town of Bolton consistent with the terms and provisions of this Resolution, and in a form approved by the County Attorney.